

File No. 1055D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:)
DAVID STERN et al)
Serial No. 10/828,613) Examiner: Edward Raymond
Filed : APRIL 21, 2004) Art Unit: 2857
For: METHODS AND APPARATUS) Response to Office Action
FOR DETECTION OF FLUORESCENTLY) Dated December 9, 2004, And
LABELED MATERIALS) Request for Declaration of Interference
COMMISSIONER OF PATENTS) with a Patent under 37 CFR §41.202-
Alexandria, VA 22313) Expedited Handling

JAN 07 2005

Sir:

This paper is in response to the Office Action dated December 9, 2004 setting a one-month period to identify the support for claims copied from a U.S. patent, U.S. Patent No. 6,591,196. This paper furthermore identifies support for the claims copied from a U.S. Patent, U.S. Patent No. 6,768,820. These copied claims are presented in the Amendment concurrently filed herewith. Therefore, this paper identifies the support and provides other formalities required to declare an interference between the present application and the two patents.

REMARKS**I. Overview**

Applicants hereby request an interference between Applicants' USSN 10/828,613 and United States Patent Nos. 6,591,196 ("the '196 patent") and 6,768,820 ("the '820 patent") which issued to Yakhini *et al.* on July 8, 2003 and July 27, 2004, respectively. To facilitate consideration of this request, Applicants attach a proposed PTO-850 "Interference Initial Memorandum" outlining the suggested interference.